



**Billing Code 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**Docket ID FEMA-2013-0002**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This final rule involves no policies that have

federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final rule meets the applicable standards of Executive Order 12988.

### **List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

### **PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

### **§ 67.11 [Amended]**

2. The tables published under the authority of § 67.11 are amended as follows:

| <b>Harris County, Texas, and Incorporated Areas<br/>Docket No: FEMA-B-1164</b> |  |  |  |
|--|--|--|--|
| <b>Flooding Source(s)</b>  | <b>Location of Referenced Elevation</b>                        | <b>*Elevation in feet (NGVD)<br/>+Elevation in feet (NAVD)<br/>#Depth in feet above ground<br/>^Elevation in meters (MSL)<br/>Modified</b> | <b>Communities Affected</b>                            |
| K100-00-00 (Cypress Creek)   | Approximately 0.57 mile downstream of Treaschwig Road          | +79  | City of Houston, Unincorporated Areas of Harris County |
|  | Approximately 1.1 miles upstream of the Waller County boundary | +173   |  |
| K111-00-00 (Turkey Creek)  | Approximately 1,100 feet downstream of Hardy Toll Road         | +90  | Unincorporated Areas of Harris County                  |
|  | Approximately 650 feet upstream of North Vista Drive           | +105   |  |
| K116-00-00 (Schulz Gully) (backwater effects from Cypress                      | At the Cypress Creek confluence                                | +85  | Unincorporated Areas of Harris County                  |
|  | Approximately 920 feet downstream of Aldine Westfield Road     | +85  |  |

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| Creek)   |  |              |   |
| K120-00-00 (Lemm Gully) (backwater effects from Cypress Creek)                   | At the Cypress Creek confluence<br>Approximately 0.4 mile upstream of Lockridge Drive                                    | +92<br>+92   | Unincorporated<br>Areas of Harris<br>County                     |
| K120-01-00 (Senger Gully) (backwater effects from Cypress Creek)                 | At the Lemm Gully confluence<br>Approximately 100 feet upstream of I-45  | +92<br>+92   | City of Houston,<br>Unincorporated<br>Areas of Harris<br>County |
| K124-00-00 (Seals Gully)   | Approximately 1,400 feet<br>downstream of Candle Creek Road<br>Approximately 500 feet upstream of Spring Cypress Road    | +102<br>+125 | Unincorporated<br>Areas of Harris<br>County                     |
| K131-00-00 (Spring Gully)  | At the Cypress Creek confluence<br>Approximately 200 feet downstream of Spring Cypress Road                              | +106<br>+137 | Unincorporated<br>Areas of Harris<br>County                     |
| K131-03-03 (Tributary 2.1 to Spring Gully) (backwater effects from Spring Gully) | At the Spring Gully confluence<br>At the upstream side of T.C. Jester Boulevard  | +112<br>+112 | Unincorporated<br>Areas of Harris<br>County                     |
| K131-04-00 (Tributary to Spring Gully) (backwater effects from Spring Gully)     | At the Spring Gully confluence<br>Approximately 1,600 feet upstream of the Spring Gully confluence                       | +121<br>+122 | Unincorporated<br>Areas of Harris<br>County                     |
| K133-00-00 (Dry Gully) (backwater effects from Cypress Creek)                    | At the Cypress Creek confluence<br>Approximately 400 feet upstream of Champions Forest Drive                             | +112<br>+112 | Unincorporated<br>Areas of Harris<br>County                     |
| K140-00-00 (Pillot Gully) (backwater effects from Cypress Creek)                 | At the Cypress Creek confluence<br>At the downstream side of River Park Drive  | +118<br>+118 | Unincorporated<br>Areas of Harris<br>County                     |
| K142-00-00 (Faulkey Gully)   | At the Cypress Creek confluence<br>At the downstream side of Lakewood Forest Drive                                       | +122<br>+123 | Unincorporated<br>Areas of Harris<br>County                     |
| K145-00-00 (Dry Creek) (backwater effects from Cypress Creek)                    | At the Cypress Creek confluence<br>At the downstream side of Jarvis Road   | +139<br>+139 | Unincorporated<br>Areas of Harris<br>County                     |
| K152-00-00 (Tributary 37.1 to Cypress Creek)                                     | Approximately 1,500 feet upstream of the Cypress Creek confluence<br>Approximately 920 feet downstream of U.S. Route 290 | +148<br>+151 | Unincorporated<br>Areas of Harris<br>County                     |
| K155-00-00 (Tributary 40.7 to Cypress Creek)                                     | At the Cypress Creek confluence<br>Approximately 1,580 feet downstream of U.S. Route 290                                 | +158<br>+197 | Unincorporated<br>Areas of Harris<br>County                     |
| K157-00-00 (Tributary 42.7 to Cypress Creek)                                     | At the Cypress Creek confluence<br>Approximately 2.0 miles upstream of Jack Road   | +163<br>+196 | Unincorporated<br>Areas of Harris<br>County                     |
| K159-00-00 (Channel A to Cypress Creek) (backwater effects from Cypress Creek)   | At the Cypress Creek confluence<br>Approximately 1,900 feet upstream of the Cypress Creek confluence                     | +151<br>+151 | Unincorporated<br>Areas of Harris<br>County                     |

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| K160-00-00 (Rock Hollow)  | At the Cypress Creek confluence<br>Approximately 980 feet upstream of Mound Road  | +163<br>+206 | Unincorporated<br>Areas of Harris<br>County |
| K160-01-00 (Tributary 1.63 to Rock Hollow)                                  | Approximately 0.6 mile upstream of the Rock Hollow confluence<br>Approximately 2.8 miles upstream of the Rock Hollow confluence | +166<br>+192 | Unincorporated<br>Areas of Harris<br>County |
| K185-00-00 and K172-00-00 (Tributary 44.5 to Cypress Creek)                 | At the Cypress Creek and K185-00-00 confluence<br>Approximately 0.7 mile downstream of Mound Road                               | +166<br>+206 | Unincorporated<br>Areas of Harris<br>County |
| L100-00-00 (Little Cypress Creek)<br>(backwater effects from Cypress Creek) | At the Cypress Creek confluence<br>Approximately 1,500 feet upstream of the Cypress Creek confluence                            | +130<br>+130 | Unincorporated<br>Areas of Harris<br>County |

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

^Mean Sea Level, rounded to the nearest 0.1 meter.

#### **ADDRESSES:**

##### **City of Houston:**

Maps are available for inspection at the Public Works and Engineering Department, 611 Walker Street, Houston, TX 77002

##### **Unincorporated Areas of Harris County:**

Maps are available for inspection at the Harris County Public Infrastructure Department, A&E Division, Permit Office, 10555 Northwest Freeway, Suite 120, Houston, TX 77092

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

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**Roy E. Wright,**

Deputy Associate Administrator for Mitigation,

Department of Homeland Security,

Federal Emergency Management Agency.

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